

the House impeachment managers, statements relating to the content of conversations between—a phone call involving President Trump and Senator TUBERVILLE—were not made by me, they are not accurate, and they are contrary to fact. I move, pursuant to rule XVI, that they be stricken from the record.

UNIDENTIFIED SENATOR. Second.

The PRESIDENT pro tempore. Pursuant to S. Res. 47, section 4, parties' presentations are not limited to the record provided for in section 1 of that resolution.

Mr. LEE. I appeal the ruling of the Chair.

Mr. PAUL. I second.

I ask for the yeas and nays.

Mr. WICKER. Mr. President, we might as well hear clearly what the ruling of the Chair was, so if you would repeat that, sir.

The PRESIDENT pro tempore. Of course, I will. And pursuant to S. Res. 47, section 4, the party's presentations are not limited to the record provided for in section 1 of that resolution.

The Senator from Utah has appealed that ruling; is that correct?

Mr. LEE. Yes, I have.

Mr. SCHUMER. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays have been requested.

Is there a sufficient second?

Mr. WICKER. What is the question? Is it, Shall the ruling of the Chair be sustained? Is that the question?

The PRESIDENT pro tempore. Yes.

Mr. LEE. What may I ask is the ruling of the Chair? My point is not whether it is appropriate to make characterizations; my point was to strike them because they were false.

The PRESIDENT pro tempore. The question is, whether the interpretation that S. Res. 47, section 4 applies is cor-

rect; that the party's presentations are not limited to the record provided in section 1 of that resolution.

Mr. LEE. Mr. President, that is not my motion. You have ruled on a motion—you ruled on something that was not what I moved. What I asked was, statements were attributed to me, repeatedly, as to which I have personal knowledge because I am the source. They are not true. I never made those statements. I ask that they be stricken. This has nothing to do with whether or not they are based on depositions, which they are not. It is simply based on the fact that I am the witness. I am the only witness. Those statements are not true, and I ask that you strike them.

The PRESIDENT pro tempore. The yeas and nays were asked for. The yeas and nays are requested.

Mr. MANCHIN. Please let him explain, Mr. President. Why was it false? What was false about it?

The PRESIDENT pro tempore. It is not in order—under S. Res. 47, section 4, the party's presentation is not limited to the record provided for in section 1 of the resolution, and that has been appealed.

The clerk will call the roll.

Mr. SCHUMER. Point of clarification.

What is the question?

Mr. President, I suggest the absence of a quorum while we work this out.

The PRESIDENT pro tempore. Without objection.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEE. I ask that the order for the quorum call be rescinded.

Mr. SCHUMER. Mr. President, we need order.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. LEE. I ask unanimous consent to vitiate the appeal—the request that I made.

I withdraw the request for the yeas and nays.

The PRESIDENT pro tempore. Without objection.

Mr. SCHUMER. I withdraw the quorum call and call on the manager, Mr. RASKIN, for a brief statement.

Mr. Manager RASKIN. Thank you, Mr. SCHUMER.

The impeachment manager, Mr. CICILLINE, correctly and accurately quoted a newspaper account, which the distinguished Senator has taken objection to, so we are happy to withdraw it.

Mr. LEE. Because it is not true.

Mr. Manager RASKIN. On the grounds it is not true, and we are—

Mr. LEE. CASTRO repeated it too.

Mr. Manager RASKIN. We are going to withdraw it this evening without any prejudice for the ability to resubmit it, if possible. This is much ado about nothing because it is not critical in our case.

Mr. LEE. You are not the one being cited as a witness, sir.

Mr. SCHUMER. So the managers' issue stands. Mr. LEE has withdrawn his request, and we may relitigate it tomorrow if we have to.

ADJOURNMENT UNTIL TOMORROW

Mr. SCHUMER. Mr. President, I ask unanimous consent the trial adjourn until 12 noon tomorrow, Thursday, February 11, and that this order also constitute the adjournment of the Senate.

There being no objection, at 7:40 p.m., the Senate, sitting as a Court of Impeachment, adjourned until Thursday, February 11, 2021, at 12 noon.